

REMARKS

In the Office Action, the Examiner rejected claims 1 – 7. With this Amendment, Applicant has amended claims 1, 3, and 5 – 7 and canceled 4. The application now includes claims 1 – 3 and 5 – 7.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 103

In the Office Action, the Examiner rejected claims 1 and 2 under 35 U.S.C. § 103(a) as being unpatentable over the Cordoba patent and rejected claims 3 – 7 under 35 U.S.C. § 103(a) as being unpatentable over the Cordoba patent in view of the Holbrook et al patent.

With this Amendment, Applicant has amended the present application to better define the present invention. In particular, Applicant has amended claim 1 to claim wherein the mechanism attached to the receiver unit is a three-position switch, the three-position switch having three separate, alternatable positions, one of the positions being a “beep mode,” another one of the positions being a “light mode,” and the third position being a “vibrate mode,” each of the three positions corresponding to a notification mechanism of the receiver unit.

The Cordoba patent neither teaches nor suggests the cellular phone notification apparatus as now claimed in the present application. The Examiner states that the Cordoba patent describes a three-position switch and refers Applicant to certain sections of the Cordoba patent. The Cordoba patent specifically states, “said alarm signal is in the form of a sound alarm signal, a visual alarm signal, or a vibration alarm signal, or an optional combination of the above mentioned signals”. Nothing in the Cordoba patent describes a three-position switch, as now claimed. In fact, Applicant believes that there is no teaching of how to choose between the alarm signals of the Cordoba patent.

To the contrary, the present application specifically claims a three-position switch. The three-position switch alternately allows a user to easily set the notification to any of the three modes. Such a three-position switch is not taught nor suggested by the Cordoba patent.

The Holbrook et al patent adds nothing to the Cordoba patent to render the claims of the present application patentable. Applicant believes that the Holbrook et al patent neither teaches nor suggests the three-position switch, as now claimed.

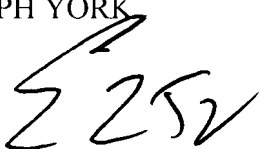
Therefore, since neither the Cordoba patent nor the Holbrook et al patent either teaches nor cellular phone notification apparatus as claimed in the present application, it is respectfully requested that the rejection of claims 1 – 7 under 35 U.S.C. § 103(a) be withdrawn and that claims 1 – 3 and 5 – 7.

CONCLUSION

It is believed that the present application is in condition for allowance. Reconsideration and allowance of the claims is respectfully requested.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'E L Tracy', is written over the printed name of the attorney.

By: _____

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